

REMARKS

This Response is submitted in reply to the Office Action dated December 26, 2007 in conjunction with the enclosed Request for Continued Examination. Independent Claims 1, 4, 7, 11, 15, 20, 24, 30, 35, 41 and 47 have been amended. No new matter has been added by any of these amendments. Claims 12-14 stand withdrawn. Enclosed is a copy of a One Month Petition for Extension of Time. Please debit Deposit Account No. 02-1818 for all payments due in connection with this Response.

The Office Action rejected claims 1-55 under 35 U.S.C. § 102 (b) as being anticipated by U.S. Patent No. 5,855,514 to Kamille ("Kamille"). Applicants respectfully disagree with such rejection. Pages 1-2 of the Office Action provide that Kamille discloses the following elements: "provide another value to the player if said selected symbol is a terminator symbol, wherein said value is at least partially based on the number of non-terminator symbols not selected." All of the claims have an element similar to such element.

In support of Kamille's disclosure of such element, the Office Action states that "[i]f insurance is purchased and a terminator symbol is revealed, the player may continue to play and awards [sic] values escalate based on unselected symbols," referring to Column 10, Lines 65-67 and Column 11, Lines 1-25 of Kamille.

However, for Kamille's player to receive more values after picking a terminator symbol, the player must select additional symbols. As such, the additionally selected symbols could not be "unselected symbols." At least for this reason, Kamille does not anticipate the claimed subject matter. Nonetheless, to expedite the prosecution of this application, Applicants have amended each independent claim to clarify the claim language.

Amended independent claim 1 recites "a display device adapted to display a game, the game involving a plurality of symbols including at least one non-terminator symbol and at least one terminator symbol; and a processor configured to operate with said display device for a play of the game to: (a) start the play of the game; (b) display a plurality of the symbols; (c) enable a player to select at least one of the displayed symbols; (d) if the selected symbol is the at least one non-terminator symbol:

(i) provide a value to the player; and (ii) repeat steps (c) and (d)(i) until a termination condition is satisfied; and (e) if said selected symbol is a terminator symbol: (i) terminate the play; and (ii) provide another value to the player, the another value being at least partially based on a quantity of said non-terminator symbols which were not selected when the play was terminated.” For the reasons set forth above, Kamille does not disclose such subject matter. Furthermore, Kamille does not disclose the concept of providing another value to the player which is at least partially based on a quantity of non-terminator symbols which are not selected when the play is terminated. In Kamille’s game, the insurance prevents the game play from terminating, so the additional values are based on additional symbol selections which occur during the continued play of the game. These additional selections are already made by the player before Kamille’s game terminates. For the foregoing reasons, claims 1-3 are in condition for allowance.

Amended independent claim 4 recites “a display device adapted to display a game, the game involving a plurality of symbols including at least one non-terminator symbol and at least one terminator symbol; and a processor configured to operate with said display device for a play of the game to: (a) start the play of the game; (b) display a plurality of the symbols; (c) enable a player to select at least one of the displayed symbols not previously selected by the player; (d) if the selected symbol is the at least one non-terminator symbol: (i) provide a value to the player; and (ii) repeat steps (c) and (d)(i) until a termination condition is satisfied; and (e) if said selected symbol is a terminator symbol: (i) terminate the play; and (ii) provide another value to the player, the another value being at least partially based on a quantity of said non-terminator symbols which were not selected when the play was terminated.” For the reasons set forth above, Kamille does not disclose such subject matter. Claims 4-6 are in condition for allowance for the reasons set forth above with respect to claim 1.

Amended independent claim 7 recites “a display device adapted to display a game, the game involving a plurality of player selectable selections including at least one associated with a non-terminator and at least one associated with a terminator; and a processor configured to operate with said display device for a play of the game to: (a) start the play of the game; (b) display a plurality of player selectable selections; (c) enable a player to select at least one of the displayed selections; (d) if the

player selected selection is not associated with a terminator: (i) provide a first award to the player; and (ii) repeat steps (c) and (d)(i) until a termination condition is satisfied; and (e) if said player selected selection is associated with one of the terminators: (i) terminate the play; and (ii) provide a second award to the player, the second award being at least partially based on a quantity of said non selected selections which were not associated with one of the terminators when the play was terminated.” For the reasons set forth above, Kamille does not disclose such subject matter. Claims 7-10 are in condition for allowance for the reasons set forth above with respect to claim 1.

Amended independent claim 11 recites “a display device adapted to display a game, the game involving a plurality of player selectable selections including at least one associated with a non-terminator and at least one associated with a terminator; and a processor configured to operate with said display device for a play of the game to: (a) start the play of the game; (b) display a plurality of player selectable selections; (c) enable a player to select at least one of the displayed selections not previously selected by the player; and (d) if the player selected selection is the at least one not associated with a terminator: (i) provide a first award to the player; and (ii) repeat steps (c) and (d)(i) until a termination condition is satisfied; and (e) if the player selected selection is associated with one of the terminators: (i) terminate the play; and (ii) provide a second award to the player, the second award being at least partially based on a quantity of said non selected selections which were not associated with one of the terminators when the play was terminated.” For the reasons set forth above, Kamille does not disclose such subject matter. Claim 11 is in condition for allowance for the reasons set forth above with respect to claim 1.

Amended independent claim 15 recites “a display device adapted to display a game, the game involving a plurality of selections including at least one associated with a non-terminator and at least one associated with a terminator; and a processor configured to operate with said display device for a play of the game to: (a) start the play of the game; (b) display a plurality of selections, wherein a first award is associated with one of the selections; (c) cause a selection of at least one of the displayed selections; and (d) if the selected selection is not associated with a terminator: (i) provide a first award to the player; and (ii) repeat steps (c) and (d)(i) until

a termination condition is satisfied; and (e) if the selected selection is associated with a terminator: (i) terminate the play; and (ii) provide a second award to the player, the second award being at least partially based on a quantity of said non-selected selections which were not associated with a terminator when the play was terminated.” For the reasons set forth above, Kamille does not disclose such subject matter. Claims 15-19 are in condition for allowance for the reasons set forth above with respect to claim 1.

Amended independent claim 20 recites “a display device adapted to display a game, the game involving a plurality of selections including at least one associated with a non-terminator and at least one associated with a terminator; and a processor configured to operate with said display device for a play of the game to: (a) start the play of the game; (b) display a plurality of selections; (c) cause a selection of one of the displayed selections not previously selected; (d) provide any of a plurality of first awards associated with the selected selection to a player, wherein each first award is associated with one of the selections; and (e) if a terminator is associated with the selected selection, wherein each of at least one terminator is associated with one of the selections; (i) terminate the play; and (ii) provide a second award to the player, the second award being at least partially based on a quantity of said non-selected selections that were not associated with any terminators when the play was terminated.” For the reasons set forth above, Kamille does not disclose such subject matter. Claims 20-23 are in condition for allowance for the reasons set forth above with respect to claim 1.

Amended independent claim 24 recites “a display device operable to display a game, the game involving a plurality of selections including at least one associated with a non-terminator and at least one associated with a terminator; and a processor configured to operate with the display device for a play of the game to: (a) start the play of the game; (b) display a plurality of selections; (c) cause a selection of one of the displayed selections not previously selected; (d) provide any of a plurality of values associated with the selected selection to a player; wherein each of the values is associated with one of the selection; (e) repeat steps (c) to (d) until at least one terminator is associated with the selected selection; and (f) provide an award to the player, wherein the award is at least partially based on a quantity of said non-selected

selections that were not associated with one of the terminators. For the reasons set forth above, Kamille does not disclose such subject matter. Claims 24-29 are in condition for allowance for the reasons set forth above with respect to claim 1.

Amended independent claim 30 recites a method of operating a gaming device comprising “(a) displaying a plurality of symbols including at least one non-terminator symbol and at least one terminator symbol for a play of a game; (b) starting the play of the game; (c) enabling a player to select at least one of the displayed symbols; (d) if one of the non-terminator symbols is selected by the player; (i) providing a value to the player; and (ii) repeating steps (c) and (d)(i) until a termination condition is satisfied; (e) if one of the terminator symbols is selected by the player; (i) terminating the play; and (ii) providing another value to the player, the another value at least partially based on a quantity of said non-terminator symbols not selected when the play was terminated.” For the reasons set forth above, Kamille does not disclose such subject matter. Claims 30-34 are in condition for allowance for the reasons set forth above with respect to claim 1.

Amended independent claim 35 recites a method of operating a gaming device comprising “(a) displaying a plurality of player selectable selections for a play of a game; wherein a terminator is associated with at least one of the player selectable selections; (b) starting the play of the game; (c) enabling a player to select at least one of the displayed selections not previously selected; (d) if the player selected selection is not associated with one of the terminators; (i) providing a first award to the player; and (ii) repeat steps (c) and (d)(i) until a termination condition is satisfied; and (e) if the player selected selection is associated with one of the terminators; (i) terminating the play; and (ii) providing a second award to the player, the second award being at least partially based on a quantity of remaining said non-selected selections that were not associated with one of the terminators when the player was terminated.” For the reasons set forth above, Kamille does not disclose such subject matter. Claims 35-40 are in condition for allowance for the reasons set forth above with respect to claim 1.

Amended independent claim 41 recites a method of operating a gaming device comprising “(a) displaying a plurality of selections for a play of a game; wherein a terminator is associated with at least one of the selections; (b) starting the play of the

game; (c) causing a selection of one of the displayed selections not previously selected; (d) if the selected selection is not associated with one of the terminators; (i) providing a first award to the player; and (ii) repeating steps (c) and (d)(i) until a termination condition is satisfied; and (e) if the selected selection is associated with one of the terminators; (i) terminating the play; and (ii) providing a second award to the player, the second award being at least partially based on a quantity of remaining said non-selected selections which were not associated with one of the terminators when the player was terminated.” For the reasons set forth above, Kamille does not disclose such subject matter. Claims 41-46 are in condition for allowance for the reasons set forth above with respect to claim 1.

Amended independent claim 47 recites a method of operating a gaming device comprising “(a) displaying a plurality of selections for a play of a game; wherein at least one of the selections is associated with a terminator and a plurality of the selections are each associated with one of a plurality of values; (b) causing a selection of one of the displayed selections not previously selected; (c) providing any value associated with the selected selection to the player; (d) repeating steps (b) to (c) until the terminator is associated with the selected selection; (e) terminating the play of the game if the selection is associated with a terminator; and (f) providing an award to the player, wherein the award is at least partially based on a quantity of said non-selected selections that were not associated with the terminator when the play was terminated.” For the reasons set forth above, Kamille does not disclose such subject matter. Claims 47-55 are in condition for allowance for the reasons set forth above with respect to claim 1.

Based on the foregoing, Applicants respectfully submit that the claims submitted herewith are in condition for allowance.

An earnest endeavor has been made to place this application in condition for formal allowance, and such action is courteously solicited. If the Examiner has any questions regarding this Response, Applicants respectfully request that the Examiner contact the undersigned.

Respectfully submitted,

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